

James C. Whelpley 2151 North Hamline Avenue, Roseville, MN 55113 — (651) 639-0313

March 3, 2014

Federal Election Commission
999 E Street, NW
Washington, DC 20463

MUR #

6794

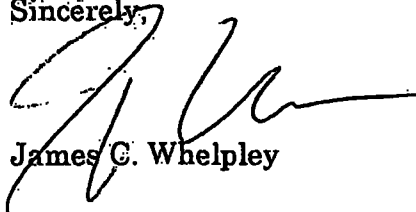
RE: Complaint concerning possible violations of federal election campaign laws.

Dear Sir or Madam:

Enclosed please find my Complaint regarding potential violations of federal election law.

I may be contacted at the address or phone number appearing in the above letterhead. My e-mail address is:

Sincerely,


James C. Whelpley

FEDERAL ELECTION COMMISSION

FEDERAL ELECTION COMMISSION

2014 MAR 11 PM 1:14

In Re:

Tom Emmer;
Emmer for Congress; and
Integrity Exteriors and Remodelers, Inc.,
Respondents.

No. 6794

COMPLAINT

1. I, James C. Whelpley, being first duly sworn, make this Complaint to the Federal Election Committee to request an investigation and enforcement actions against the Respondents named above.

2. I can be reached at 2151 North Hamline Avenue, Suite 202, MN 55113. My e-mail address is

3. I make this complaint pursuant to 2 U.S.C. §437g(a)(1) and 11 C.F.R. §111.4 concerning acts which violate 11 C.F.R. §114.2(a) and 11 C.F.R. §110.11(i)(b)

4. This Complaint is directed to the actions of Integrity Exteriors and Remodelers, Inc. ("Integrity"), Renters Warehouse, Tom Emmer and the Emmer for Congress committee.

5. According to news sources Mr. Emmer announced his candidacy for Congress (6th district on June 5, 2013. Upon information and belief, the Emmer for Congress campaign committee filed its statement of organization on June 7, 2013. The has been given the Committee ID: C00545749.

6. Integrity Exteriors and Remodelers, Inc. is, and has been since August 22, 2007, a Minnesota business corporation (Chapter 302A). Its registered address is

20145 St Francis Blvd, Anoka MN 55303. Its chief executive officer is Andrew Dahlberg, 429 Main St., Elk River MN 55330.

7. I recently read news accounts regarding a video advertisement for a construction/remodeling company which has appeared first on the internet, and later on the internet and on broadcast television in the St. Paul-Minneapolis metropolitan area and elsewhere.

8. In the advertisement, Tom Emmer, a candidate for Congress in Minnesota's sixth congressional district, delivers a recommendation that listeners call Integrity if they need remodeling, siding or general construction work done. In this ad Mr. Emmer identifies himself as a candidate for Congress while he stands in front of a large campaign sign which says "Emmer for Congress". Smaller but clearly visible print on the bottom of the sign states "Paid for by Emmer for Congress", although the reference apparently refers to the sign rather than the Integrity commercial. In addition, a printed message across the screen says "Tom Emmer Candidate, MN 6th Congressional District".

9. The advertisement begins with an announcer stating "When the storm settles, there's only one clear choice. Integrity Exteriors and Remodelers.". Mr. Emmer then says "Hi. My name is Tom Emmer and I'm running for congress in Minnesota's sixth congressional district. If you're looking for someone to do remodeling, siding, or general construction, residential or commercial, I can tell you without qualification, you need to call the folks at Integrity Exteriors and Remodelers. They're the best." This is the substance of the 30 second ad.

10. According to news accounts, a spokesman for Mr. Emmer's campaign

stated Mr. Emmer did the testimonial because of a request by Integrity and because he was happy to support a local business. The prominent mention of Mr. Emmer's name and candidacy and the large Emmer for Congress sign next to Mr. Emmer strongly suggests a political purpose for the ad as well.

11. Subsequently, a news report stated an Emmer advisor said the Emmer campaign paid the cost of airing the ad. The same news report said an \$850 debt to Integrity was listed on the Emmer campaign's FEC campaign finance report.

12. It is unclear whether the payment for the ad was made to Integrity as part of an original purchase arrangement or was later made as a response to unfavorable publicity. The accounts related in paragraph 4 suggest the ad was simply done at the request of Integrity. If this is the case, the arrangement suggests there may have been an illegal in-kind corporate campaign contribution by Integrity. I do not know if the Emmer campaign has reported such a contribution or if it intends to report such a contribution.

13. The payment for the ad by the campaign suggests the ad is a public communication of the Emmer campaign and that it benefitted the campaign. As such, it would require a disclaimer. While Emmer clearly identifies himself as a candidate, the standard language of a disclaimer is not present. The ad does not state that the campaign paid for the ad. The ad does not mention who paid for the ad, whoever it was. And even if the ad was not financed by Mr. Emmer, the ad should have contained wording stating Mr. Emmer authorized the message since the ad serves a political purpose.

14. The following web addresses contain news accounts related to the Emmer

- Integrity advertisement (other accounts also appeared on the internet and on broadcast television):

- <http://www.startribune.com/politics/blogs/227903321.html>
- <http://www.startribune.com/video/227237621.html#/227237621/video/1/>
- <http://www.startribune.com/politics/statelocal/225901621.html>
- http://www.twincities.com/news/ci_24205976/minn-congress-hopeful-turn-s-remodeling-pitchman?IADID=Search-www.twincities.com-www.twincities.com
- <http://www.bluestemprairie.com/bluestemprairie/2013/09/tom-emmer-shills-for-integrity-exterior-and-remodelers-as-a-candidate-running-for-congress.html>

15. According to one news source, Bluestem Prairie (see attached exhibit), after Mr. Emmer announced his candidacy, he appeared on television (KSTP) infomercials aired on behalf of Renters Warehouse at least five times. He later appeared as a special guest on June 27, 2013, at Stillwater's for Cocktails and Conversation presented by Renters Warehouse with special guest Tom Emmer. According to the news story, no expenditures or in-kind receipts were report by Mr. Emmer's Committee.

16. The same news source related that a few days after the last infomercial aired the owner of Renter's Warehouse, Brenton Hayden, appeared to have made 2 large contributions to the Emmer for Cangress committee. Later, in early November, 2013, the Emmer for Congress committee sent out a press release which announced that Brenton Hayden had been appointed chair of the Emmer for Congress finance committee.

17. The following web address contains a news account as background to the

2002044061

- <http://www.bluestemprairie.com/bluestemprairie/tom-emmer/>

The story is embedded in this compilation and this site is updated periodically. I have attached a pdf version of the relevant story as an exhibit.

FURTHER, AFFLIANT SAYETH NAUGHT.

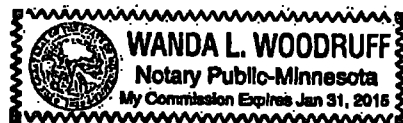
STATE OF MINNESOTA }
COUNTY OF RAMSEY } ss.

James C. Whelpley, being first duly sworn, on oath states that he knows the contents of the foregoing pleading, that the averments thereof are true of affiant's own knowledge, save as to such as are therein stated on information and belief, and that as to those the affiant believes them to be true.

~~James C. Whelpley~~

Subscribed and sworn to before me
this 5th day of March, 2014.

Manda Struff
Notary Public



Posted by Sally Jo Sorensen on Oct 23, 2013 at 11:56 PM in 2014 Elections, Congress, Rick Warren, Tim Wetz, Tom Emmer, Renters Warehouse, Comments (0) [Share This](#)

Oct 17, 2013

Celebrity endorsement rent boy Tom Emmer talks foreclosure crisis in awesome infomercial

by Sally Jo Sorensen

While Tom Emmer's celebrity endorsement infomercial for Renter's Warehouse doesn't include mention of his congressional campaign, the half-hour piece did air after he declared his candidacy for the open seat in Minnesota's Sixth Congressional District.



Renters Warehouse Infomercial

The infomercial was uploaded on January 30, 2013, before Congresswoman Bachmann announced her retirement, but has aired since Emmer declared for office.

Emmer announced on June 5, 2013. According to KSTP's traffic department, the infomercial aired at least several times after Emmer jumped in the race. According to station traffic records, the segment aired twice on June 16 at 5:00 a.m. and 1:00 p.m., on June 18 and June 22 (no time requested), and last aired on June 23 5:00 a.m.

As the disclaimer aired by stations before infomercials notes, Hubbard Broadcasting was not responsible for the content of the ad.

Tom Emmer also appeared as a special guest on June 27, 2013, at Stillwater's for Cocktails and Conversation presented by Renters Warehouse with special guest Tom Emmer.

Join Twin Cities News Talk at Water Street Inn in Stillwater for an installment of Cocktails and Conversation with Bob Davis. Tom Emmer will be our special guest! See you there!

Apparently, Emmer became one of a stable of "Celebrity Endorsements" while a host on the Davis and Emmer radio show. Other celebrities in the list of endorsements include Glenn Beck, Ed Schultz, KFAN's Dan Barreiro and various broadcast personalities.



It's likely that time for the infomercial was purchased before the gentlewoman from Minnesota's Sixth decided to retire.

There's little to suggest any potential wrongdoing, but discovery of another renting out of Tom Emmer's name to a home-related industry following the integrity ad debacle can't be good for perceptions of his independence. Emmer might consider following Bachmann's lead and rent out his old fundraising lists instead (or maybe not).

Perhaps Tom Emmer can use knowledge about the foreclosure crisis gained his stint while a celebrity and infomercial host to tackle the issue in DC. However, conservative media critics at News Busters already challenged Renter's Warehouse Celebrity Endorser Ed Schultz's expertise back in 2009.

Other sources, including Huffington Post's [Bachmann's District Leads In Foreclosures As She Votes Against Every Major Relief Initiative](#), drew from the same article that Schultz used from the now defunct (and offline) Minnesota Independent.

However deep and broad the celebrity endorser's knowledge of the real estate and rental markets may or may not be, Brenton Hayden, the owner of Renter's Warehouse, is very pleased with Tom Emmer as a congressional candidate, having contributed \$5000 to Emmer's campaign back on June 30:

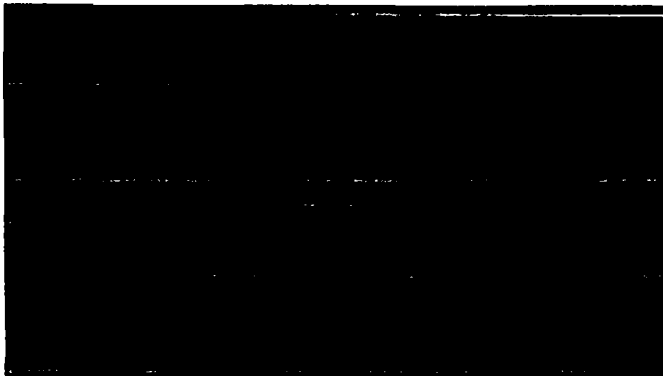
Brenton Hayden 500 Kristin Ln Maple Plain, Minnesota 553599590	Renters Warehouse	06/30/2013	2400.00
	Owner		5000.00
Brenton Hayden 500 Kristin Ln Maple Plain, Minnesota 553599590	Renters Warehouse	06/30/2013	2600.00
	Owner		5000.00

Ashley Hayden, same town but different address on Kristin Lane, also contributed to the

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Emmer campaign, as did another Hayden from Edina. It's unclear whether these are family members or simply people who share the same last name.

Here's the infomercial:



Renters Warehouse Infomercial from Renters Warehouse on Vimeo.

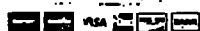
Tom Emmer is the leader in fundraising for the Sixth, but if his bid for Republican endorsement fails, Bluestern foresees a career for the Delano lawyer, radio personality and former lawmaker in the home improvement and rental industry.

Images: Screenshot of Emmer in infomercial (above); screenshot of the Facebook (below).

Note: the title of this post was changed to the present version from "Celebrity endorsement rent boy Emmer pitched for property management firm, owner is donor."

If you enjoyed reading this post, consider giving a donation via snail mail (P.O. Box 108, Maynard MN 563260) or paypal:

[Donate](#)



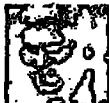
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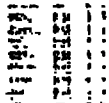
Tom Emmer shifts for Integrity Exteriors and Remodelers as



Poor country blogger gets name-dropped in Emmer ad segment on



America on the Brink Tom Emmer, base to connect at barking mad



Big Stone County has little to fear from Emmer



Bachmann's activist base in Sixth Congressional district mostly



Bachmann to Glenn Beck fans: melt phone lines on immigration; is



First District Republicans to seal Quist endorsement with Emmer

Posted by Sally Jo Sorensen on Oct 17, 2013 at 02:52 PM in [Old Backlog](#), [Our Government](#), [Civil Liberties](#), [Lawrence Hume](#), [Media](#), [Politics](#), [Business](#), [Small Business](#), [Tom Emmer](#), [Rumors](#), [Cronies](#), [M](#), [S](#), [S](#)

Oct 10, 2013

Poor country blogger gets name-dropped in Emmer ad segment on Colbert Report

by Sally Jo Sorensen

Bluestern knew that the Colbert Report was doing a segment on the peculiar Tom Emmer testimonial commercial we'd first spotted on CW 23 Sunday morning and posted about that day in [Tom Emmer shifts for Integrity Exteriors and Remodelers as a candidate running](#)

